



4. Plaintiffs have not dismissed an action based on or including the same claim or claims against the Defendants as those presented in this suit.

5. This dismissal is agreed to be with prejudice.

PRAYER

FOR THE FOREGOING REASONS, the Parties pray that this Court dismiss Plaintiffs claims asserted against Defendants with prejudice with Court costs and attorneys' fees after remand from the Court of Appeals taxed against the party incurring same.

Respectfully submitted,

/s/ Daryl K. Washington

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing has been forwarded to the following counsel of record in accordance with the District's ECF service rules on this 20<sup>th</sup> day of October, 2015 to:

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/s/ Daryl K. Washington